

REMARKS

Claims 1-7 and 9 are pending in this application. By this Amendment, claims 1, 6 and 9 are amended. Support for the amendment to claims 1, 6 and 9 can be found, for example, on page 7, lines 11-23 of the specification, as originally filed. No new matter is added. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The Office Action rejects claims 1-3, 5-7 and 9 under 35 U.S.C. §102(b) over U.S. Patent Application Publication No. 2002/0025079 A1 to Kuwata et al. (Kuwata). The Office Action rejects claim 4 under 35 U.S.C. §103(a) over Kuwata in view of U.S. Patent No. 6,487,309 to Chen. These rejections are respectfully traversed.

Kuwata fails to disclose an image-processing device that calculates an evaluation value for each pixel by inputting the respective luminance values of the selected small areas and a distance value from each pixel to each small area selected into a formula, as recited in independent claim 1, and similarly recited in independent claims 6 and 9.

Kuwata illustrates, in Fig. 36, a difference of density between one picture element and surrounding picture elements. The density difference is taken as the edginess of the picture element, and is computed by applying a filter (Kuwata, paragraph [0276]). Kuwata illustrates, in Fig. 37, an applied filter and the respective weighting coefficients when the luminance is weighted for a specific picture element and surrounding picture elements. The picture element in question is compared only with surrounding picture elements.

The Office Action asserts that the weighting coefficients when the luminance is weighted for a specific picture element and surrounding picture elements of Kuwata correspond to the claimed evaluation value being calculated.

Kuwata discloses the formulas used in calculating the weighting coefficient and the luminance distribution (Kuwata, paragraphs [0277]-[0280]). However, these formulas do not

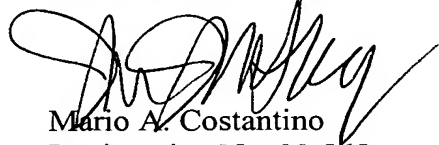
include distance as a value that is used for determining the weighting coefficient or the luminance distribution. Thus, Kuwata does not disclose that a luminance value and a distance value of the specific picture element from the surrounding picture elements are inputted to determine the weighting coefficient or the luminance distribution. Therefore, Kuwata fails to disclose all the features positively recited in independent claims 1, 6 and 9. Thus, independent claims 1, 6 and 9 are patentable over Kuwata.

Claims 2-5 and 7 depend from independent claims 1 and 6, respectively. Chen fails to overcome the deficiencies of Kuwata, as applied to independent claim 1. Thus, claims 2-5 and 7 are also patentable by reason of their dependence on independent claims 1 and 6, respectively, as well as for the additional features these claims recite. Accordingly, it is respectfully requested that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 and 9 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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